

Current Issue Review

RAILWAY SAFETY

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RAILWAY SAFETY

ISSUE DEFINITION

Train accidents made headlines in 1986. The publication in January 1987 of the Foisy Report on the collision that had cost 23 lives in Hinton, Alberta, and the freight train derailment on 24 January 1987 in Sainte-Hélène-de-Bagot, Quebec, kept Canadians' attention focused on the issue of the safety of our rail network.

Accidents fall into three categories: level-crossing accidents, derailments and collisions. Level-crossing accidents are the most common and account for the majority of deaths and injuries. In 1985, for example, accident statistics published by the Canadian Transport Commission (CTC),* which by law had to be reported to it, showed 275 derailments causing 1 death and 22 injuries, 72 collisions causing no deaths but 48 injuries and 584 level-crossing accidents causing 58 deaths and 337 injuries. To solve the level-crossing problem, the Minister of Transport, in a statement on transportation safety made in the House of Commons on 6 June 1986, announced a number of measures, including a raised crossing program, to which the federal government was to allocate

* The Canadian Transport Commission (CTC) and the Railway Transport Committee of the CTC ceased to exist with the coming into force of the relevant provisions of the *National Transportation Act, 1987* on 1 January 1988 and the CTC was replaced by the National Transportation Agency (NTA). The NTA assumed the CTC's previous responsibilities with respect to railway safety. With the coming into force of the relevant provisions of the *Railway Safety Act* on 1 January 1989, responsibilities of the NTA with regard to railway safety were transferred to the Minister of Transport. Any reference in this paper to the CTC is to that body as it existed prior to the coming into force of the *National Transportation Act, 1987*.

\$25 million and provincial governments and agencies the same amount. The *Railway Relocation and Crossing Act* (R.S.C. 1985, c. R-4) provides, among other things, for financial aid for projects designed to improve public safety at railway crossings.

Discussion has concentrated, however, on train derailments and collisions, and has raised such railway safety issues as obsolete technology, staff cutbacks, outdated regulations and failure to observe safety rules. Moreover, while derailments and collisions cause fewer deaths and injuries per year than level-crossing accidents, we must bear in mind that the 1979 Mississauga derailment required the evacuation of 250,000 people. Accordingly, in this paper we shall examine these two types of accidents.

BACKGROUND AND ANALYSIS

A. Trends

Figures supplied by the then CTC showed that the number of derailments and collisions over the period 1975-85 fluctuated between a record high of 348 derailments and 108 collisions in 1981 and a low of 275 derailments and 72 collisions in 1985. In an article in the *Toronto Globe and Mail* on 21 February 1986, Dr. Julius Lukasiewicz, author of *The Railway Game: A Study in Socio-technological Obsolescence*, observed that according to CTC statistics, the number of derailments in 1985 was 70% higher than in 1960, and the number of collisions was 2.5 times higher than in 1970, allowing for the volume of rail traffic.

Comparing the safety performance of CP Rail and CN Rail with that of the 13 leading railway companies in the United States, the Federal Railroad Administration of the U.S. Department of Transport found that, between 1981 and 1985, the two Canadian companies had lower accident rates than the average for the U.S. companies in every year, and in three of those five years CP Rail had the lowest rate. As for comparison with European companies, the CTC concluded, in a report released on 26 March 1986, that no significant conclusions on safety can be drawn

from the available figures. Dr. Lukasiewicz, however, in his *Globe and Mail* article, compared Canadian and French performances for 1982 and found that French express trains had three times fewer derailments and ten times fewer collisions, allowing for differences in rail traffic volume. He interpreted this as showing how greatly modern technology can contribute to safety.

Whatever statistics may show, the series of accidents which occurred in early 1986 prompted the Minister of Transport to launch a lightning offensive to promote safety and to ask the then CTC's Railway Transport Committee to study the accidents that had occurred since 1 January 1984 to determine whether they had a common cause. Mr. Justice René Foisy's Commission of Inquiry into the Hinton accident had by that time already begun.

B. Causes

In a 1986 paper entitled *An Examination of Canadian Railway Derailments and Collisions January 1, 1984 to March 21, 1986*, the Railway Transport Committee of the Canadian Transport Commission came to the following conclusions on the causes of these accidents (p. 24):

In both years, just under two-fifths of derailments were caused by track factors; one-quarter by equipment; one-fifth by operations; and the balance by other causes beyond railway control. In respect of collisions, almost all of these are operations related [that is, caused by staff]. There is nothing in the pattern between 1984 and 1985 to suggest a common thread to explain the large number of high profile derailments which have occurred so far in 1986. However, equipment related causes have been important in the causes of derailments so far this year and several of these accidents are currently under investigation by the Railway Transport Committee to determine if there is an underlying cause.

The conclusion that "there is nothing ... to suggest a common thread," despite the fact that most derailments were caused by track and equipment problems and that nearly all collisions were due to human error, seems to have been reached because the broad categories of causes break down into a multitude of separate causes. We find ten different

specific causes for track-related derailments; nine for equipment-related derailments and three for staff-related derailments, making a total of 22 causes. Collisions caused by staff are attributed to six different specific causes of which four refer to "violations." The cause "crew communication deficiency," for example, is glossed as "failure of trainmen and yardmen to comply with prescribed communication procedures during the course of train operations; such infractions include the absence or improper use of flagging, fixed, hand and radio signals." The cause "improper handling of switches or derails" is described as "improper alignment and handling of switches; cases also include violations of instructions pertaining to the use and location of derails." "Excess speed" is defined as "excess speed violation," while "other employee failure" covers "all other violations of rules and instructions; ... miscellaneous instances where unsafe practices by employees in the course of train operations are directly responsible for the accident."

The conclusions presented in the reports on the Mississauga derailment and the Hinton collision tie in very closely with the findings reported above. In his report on the Mississauga accident, Mr. Justice Grange observed on p. 142, "the real answer ... lies with equipment." Mr. Justice Foisy, after his inquiry into the Hinton accident, concluded that the collision had occurred "because the westbound freight train ... failed to obey signals along the track calling for it to stop" (p. 3), and later observed "that human error did contribute in large part to this mishap, and that [CN] management shares in the responsibility for the conditions that contributed to the human errors involved in this case" (p. 5).

Since most derailments are due to track and equipment, it seems reasonable to assume that improving rail equipment should reduce accidents. The CTC Railway Transport Committee, commenting on statistics that reflected a decrease in track-related derailments for the period 1981-85, attributed that decrease to the railway companies' "heavy expenditures" on track improvements in recent years.

Canada must, according to Dr. Lukasiewicz, modernize its rail technology in order to raise rail safety to an acceptable level. He

feels, however, that this cannot be done without a massive injection of government funds.

Another feature of the debate on rail safety is the staff cutbacks made by the railways in recent years. According to CTC figures, both CN Rail and CP Rail cut their strength, from a joint total of 88,478 employees in 1981 to 78,249 in 1985. The two railways ascribed these reductions to technological change, as fewer employees were needed for repairs and inspections. The unions, on the other hand, charged that these cutbacks had reduced safety by lowering inspection and maintenance standards.

Turning now to the human factor, which is responsible for nearly all collisions, it seems far from certain that the railway technology now used in Canada is not at fault. According to Dr. Lukasiewicz, obsolete equipment leads to undue reliance on the human element, thus making railway operations subject to human error. Mr. Justice Foisy, in his report on the Hinton collision, made significant recommendations regarding technology, together with a number of proposals concerning working conditions and the enforcement and updating of regulations.

C. The Foisy Report

Mr. Justice Foisy's investigation of the Hinton collision determined that the accident was definitely not caused by the track or a mechanical failure of the equipment. It was shown that the CN freight train was exceeding the speed limit and ran past the signals that ordered it first to slow down and then to stop. Had it halted at the prescribed point, it would not have been on the track on which the collision occurred. Neither the CN freight train nor the VIA passenger train braked before impact, although for the 19 seconds preceding the collision, the crews of each train could see the other approaching. Mr. Justice Foisy concluded that the two crew members who were in the locomotive at the head of the freight train had lost control of it, probably because one of them was asleep or inattentive. Evidently none of the three employees in the freight train had had adequate rest before departure; furthermore, the

engineer had serious health problems (alcoholism, diabetes and high blood pressure). No CN or VIA employee involved in the collision was under the influence of alcohol or drugs at the time, however.

Mr. Justice Foisy dwelt at length on the working conditions prevailing at CN, which make train crews work long hours at a stretch and impose irregular, unpredictable timetables. He also reported complaints by staff about the lack of comfort in the locomotive cabs. Hours of work and rest for train crews are not regulated by the *Canada Labour Code*, but since 1972, railway companies and unions were supposed to be working on suggestions which would make them so. Mr. Justice Foisy considered that they could no longer be relied upon to find such a formula and recommended that the government issue regulations on hours of work and compulsory rest. He also recommended that railway companies standardize work schedules so that crews would know at least seven days in advance the dates and hours on which they would be required to work. Locomotive cabs should also have improved control over noise, temperature, vibration and so forth.

Mr. Justice Foisy observed shortcomings in the system of evaluating, monitoring and maintaining employee health at CN. CN management was aware of the freight train engineer's health problems, but the engineer did not receive the appropriate medical monitoring. Mr. Justice Foisy recommended that CN review the elements of this system, "to ensure that a man in such seriously frail medical condition as Hudson can never again be placed in charge of a train" (p. 112). His report also recommended that a physician who believes on reasonable grounds that a patient cannot perform his duties without risk to railway safety should be required to notify the employer. In present conditions, a physician may hesitate to do this for reasons of professional confidentiality. Another recommendation addressed the need for better coordination between CN's medical officers and local operations officers. Mr. Justice Foisy also emphasized that the regulations governing health standards were inadequate, since they called for only periodic examination of train workers' sight and hearing. He recommended that the CTC act as soon as possible on this matter. Lastly, he suggested that CN improve its Employee Assistance Program for staff coping with alcoholism.

Mr. Justice Foisy went on to study the rules that governed the movement of trains. His analysis showed that CN management and employees overall paid little regard to the applicable rules, and this naturally affected safety.

The applicable rules at the time of Mr. Justice Foisy's study were contained first and foremost in the Uniform Code of Operating Rules (UCOR) authorized by the CTC, which had the force of law. Drafted in the '60s, they contained a number of obsolete provisions, according to Mr. Justice Foisy, and were no longer up to date, despite some amendments. (The UCOR have since been replaced by the Canadian Railway Operating Rules (CROR), which came into effect on 9 December 1990.) Added to the government regulations were various rules and directives issued by CN which are not legally binding, although employees are expected to observe them. Mr. Justice Foisy questioned CN's policies and methods as regards supervision and general discipline. In contrast to CP, CN was reluctant to carry out inspections without employees' knowledge. The Commissioner recommended that this practice be changed so as to ensure that running crews would perform their duties in strict accordance with the established rules. He also recommended that CN should improve the way it managed disciplinary files and ensure that demerit points for failure to comply with the rules were given on the basis of an employee's entire disciplinary record. As for the then CTC's work, Mr. Justice Foisy recommended that the UCOR be updated. He also recommended that the regulatory system be reorganized so as to obviate the conflict between the various functions performed by the CTC, which formulated the rules, ensured their enforcement and investigated accidents. Furthermore, he felt that the staff responsible for applying the rules was insufficient and should be increased. He was also of the view that the CTC should replace its policy of persuading the railways to respect its regulations with a policy of prosecuting companies and individuals who broke the rules. Legislation governing prosecutions relating to railways should be patterned after that prevailing in the aeronautics sphere.

Another important part of the Foisy report sought to ensure that locomotive engineers react to traffic signals. The mechanisms

designed to ensure proper response did not operate correctly before the Hinton collision occurred.

CTC regulations required locomotives to be fitted with a device that would cause the brakes to engage automatically if the engineer was incapacitated. They did not, however, specify what type of device was to be installed. The lead locomotive of the CN freight train was equipped with a "deadman's pedal." When the train is running, the engineer has to maintain constant pressure on this pedal; if he releases it, the train stops. Evidence was given to the Foisy Commission that many engineers jammed this safety pedal so they would not have to press on it, and that CN management had been aware of this practice and had actually tolerated it for a long time. The deadman's pedal is not the only device available; there is also a reset safety control device, which is considered much more effective than the deadman's pedal. Mr. Justice Foisy recommended that it be installed on all CN's lead locomotives by 1 January 1988 at the latest, and in all VIA Rail locomotives by 1 July 1988 at the latest. As for CP, he recommended that it proceed according to a timetable to be approved by the then existing CTC Railway Transport Committee. He further recommended that the CTC amend its regulations to specify that installation of a safety pedal alone did not constitute compliance with the regulations. Mr. Justice Foisy also recommended that any employee who short-circuited a safety device be prosecuted and dismissed, and that railway companies which tolerated such a practice should be prosecuted.

Several pages of the Foisy Report were devoted to introducing a system that would allow remote control of train movements. Several such systems are currently under study. They enable a train to be braked automatically and immediately when a crew fails to observe a signal. The brake command is given from a fixed station. The system described in the Foisy Report is ATCS (Advanced Train Control System). CN Rail and CP Rail informed the Foisy Commission that they were committed to developing and introducing this system. Mr. Justice Foisy made certain recommendations as to when this technology should be implemented. Although, through remote control of train speed, ATCS offers not only safety benefits but also economic ones, nevertheless its development and

the acceleration of the implementation plan suggested by Commissioner Foisy entail considerable costs. Accordingly he proposed that the government consider providing financial aid to cover the additional costs of speeding up the program.

Another point touched on by Mr. Justice Foisy as regards reaction to the signals was the role of the conductor in the caboose. The report gave much attention to rule 3.2(b) in CN Rail's general operating instructions. This rule requires the conductor to do what is needed to ensure that the engineer is vigilant, and also provides for the conductor to bring the train to a halt. Mr. Justice Foisy concluded that in the circumstances leading up to the Hinton collision, the freight train conductor ought to have activated the emergency brake. He pointed out, however, that the wording of rule 3.2(b) gives rise to confusion. It purports to require the conductor to halt the train when he cannot contact the head-end by radio; however, it might be possible to interpret the wording as allowing the conductor freedom to decide whether to apply the brakes. Mr. Justice Foisy recommended that CN amend the wording of this rule so that it cannot be interpreted as allowing any discretionary power to the conductor.

Mr. Justice Foisy's final recommendations were devoted to the obligation that should be laid on train dispatchers to notify by radio any trains which will be meeting each other and to the regulations covering the various requirements for emergency exits in passenger trains.

D. Implementation of the Foisy Report Recommendations

On 22 January 1987, the government tabled its official response to the Foisy Report. On 10 April of that year, the Minister of Transport reported on the progress made in implementing the report's recommendations. At the same time, he made public the reports of the CTC, CN, CP Rail, VIA Rail, Algoma Central Railway and of 13 other smaller railway companies, as well as that of the Canadian Railway Labour Association.

Generally speaking, progress has been made in implementing some, but by no means all, of the Foisy Report recommendations. In most

instances, the interested parties have not contested the merits of the recommendations. However, for a variety of reasons, temporary solutions and delays have been necessary in some cases. Railway companies and one union expressed their opposition to one set of recommendations, namely the requirement that train dispatchers should notify by verbal radio communication the head-end crews of trains that will be meeting each other (recommendations 39 and 40). Railway companies maintain that, far from achieving the stated objective, the application of such a measure would undermine safety standards and result in unsafe operating conditions. The Union of Rail Traffic Controllers of Canada feels that this provision would place an undue burden on train dispatchers and damage the integrity of the signalling system.

After examining the issue, the CTC concluded that it would not proceed with the recommendation calling for the radio communication of train meetings. It was satisfied that ATCS technology would provide an additional safeguard in this area.

The UCOR have since been the subject of a thorough-going revision, during which the railway companies and the unions were consulted. The Minister of Transport gave his approval to new rules, the Canadian Railway Operating Rules (CROR), which came into effect on 9 December 1990.

Furthermore, the Minister of Transport announced that the *Criminal Code* would be amended so as to place alcohol and drug use under similar provisions as those which apply to other modes of transportation. Problems centred on the screening process. Railway companies called for legislative provisions empowering them to undertake systematic screening. The Minister therefore requested that a task force, to be composed of interested parties, be set up to examine the issue and to report back by 1 September 1987. According to the Minister, the purpose of the exercise was to reach "an optimum level of safety while, at the same time, preserving all of the essential elements of human dignity and human rights." The Minister also stated that should the parties fail to work out an agreement by the deadline, the government would take steps to settle the matter.

The report of the task force was made public on 18 January 1988. It mentioned six possible drug tests: pre-employment alcohol and

drug screening; testing following an accident; testing for reasonable cause; testing along with medical checkups; testing on return to work following a three-month or longer absence; and random testing of designated employees, that is to say employees who, as a condition of employment, are required not to use alcohol or drugs. The Task Force recommended that only the first four be considered. The Minister indicated that he saw merit in mandatory testing after an accident and for reasonable cause (meaning, in the words of the task force, where the company has reason to believe the employee is working under the influence of drugs or alcohol).

Furthermore, the government announced that over the winter of 1989 the Ministry of Transport had conducted an extensive survey on drug use among workers in all sectors of the transportation industry. The survey findings led to publication of a document setting out the government's strategy for drug testing in the transportation industry ("Strategy on Substance Use in Safety-Sensitive Positions in Canadian Transportation"). The government apparently also plans to propose legislation that would ensure implementation of the policy. However, the government is likely to run into obstacles if it should attempt to impose drug testing through legislative action. To begin with, the government would face keen opposition from transportation unions. In addition, it would certainly be difficult for such a test to avoid infringing the right to life, liberty and security of the person guaranteed under the *Canadian Charter of Rights and Freedoms*. (For a detailed analysis of the legal implications of drug testing, see Current Issue Review 90-1E, *Drug Testing: Legal Implications*).

PARLIAMENTARY ACTION

After the 1979 accident in Mississauga, Parliament enacted the *Transportation of Dangerous Goods Act* (R.S.C. 1985, c. T-19). This Act applies to rail transport among other things, and is designed primarily to reduce damage in the event of accident. In the government's response to the Foisy Report, the Minister of Transport announced that a Railway Safety Act would be drafted.

Bill C-105, the *Railway Safety Act*, was tabled on 18 January 1988. The legislation sought to give Cabinet broad regulatory powers, although it contained no provisions for mandatory alcohol and drug testing. It did, however, give Cabinet the power to make regulations respecting this matter. It should be noted that if Cabinet does not adopt any regulations, the railway companies will be able to make their own regulations applicable to their employees, provided they obtain the approval of the Minister of Transport. The bill proposed to amend the *Criminal Code* to make it an offence to operate a train while impaired, as was already the case for operators of other modes of transportation (sections 54 to 61).

As originally worded, clause 35 stated that a physician or optometrist would be required to notify the Chief Medical Officer of the railway company if the condition of the employee holding a position designated as critical by Cabinet constituted a threat to safe railway operations. This clause was modified by the Senate after its Standing Committee on Transport and Communications adopted an amendment requiring that employees holding positions deemed critical to safe railway operations undergo a company-sponsored medical examination, including audiometric and optometric tests, at least every 12 twelve months. On 26 July 1988, the House of Commons concurred with the amendment and two days later, the bill received Royal Assent (R.S.C. 1985, (4th Supp.), c. 32). The new Act has received two Royal Proclamations and as of 1 January 1989 had come almost entirely into force.

With the coming into force of the *Railway Safety Act*, responsibilities of the National Transportation Agency (NTA) with respect to railway safety were transferred to the Minister of Transport. The NTA had assumed the responsibilities of the CTC in that matter when it replaced the CTC upon the coming into force of the relevant provisions of the *National Transportation Act, 1987* on 1 January 1988.

During the study of the railway safety bill, the Minister of Transport, on 8 July 1988, tabled Bill C-142, *An Act to Establish the mutli-modal Transportation Accident Investigation Board*. The bill died on the Order Paper, after first reading, when Parliament was dissolved on

1 October 1988. Subsequently, the Minister of Transport, on 7 April 1989, tabled Bill C-2 to the same effect; it passed both Houses and received Royal Assent on 29 June 1989. This new Act answered recurring criticisms of the lack of uniformity in the investigating procedures used for the different types of transport. It also responded to the pressing need for reorganization of the existing bodies so as to bring about greater efficiency and avoid duplication of enquiries. The Act aimed to improve the safety of all modes of transport by analyzing the causes of accidents and by making recommendations; it is corrective legislation, unlike the *Railway Safety Act*, which is preventive. This Act, among other things, transferred to the new Canadian Transportation Accident Investigation and Safety Board the National Transportation Agency's jurisdiction over investigation of railway accidents. The Board was in operation as of early January 1990.

The Standing Commons Committee on Transport in 1990 studied the government's "Strategy on Substance Use in Safety-Sensitive Positions in Canadian Transportation" and heard from interested parties. The Committee's report on the document was tabled in the House of Commons on 12 June 1990.

To prevent substance use in the transportation industry, the government's three-pronged strategy proposed the establishment and improvement of education and rehabilitation programs together with pre-employment, periodic, post accident, "for cause" and random mandatory drug and alcohol testing. In its review of the strategy, the Committee endorsed the dedicated education and rehabilitation programs and the implementation of all the forms of drug and alcohol testing except random mandatory testing. In addition, the Committee called for a "Made in Canada" strategy, rather than a duplication of the United States system, and recommended that a formal consultative process be established between Transport Canada and the transportation industry to ensure that the legislation and regulations reflect fairly and accurately the views and concerns of all involved.

On 7 November 1990, the Minister of Transport tabled the government's response to the above Committee's report. Essentially, the

government accepted all of the Committee's recommendations. In particular, it decided to withdraw the random testing element from its transportation substance use policy. Legislation and regulations in this regard are said to be forthcoming.

CHRONOLOGY

- 8 February 1986 - A rail collision in Hinton, Alberta between a CN freight train and a VIA Rail passenger train, left 23 people dead.
- 10 February 1986 - The federal government appointed Mr. Justice René Paul Foisy to carry out an investigation into the Hinton collision, and particularly to report on "the steps which can be reasonably taken to reduce the risk of recurrence of such a collision anywhere in Canada."
- 15 February 1986 - Following a series of railway accidents at the beginning of 1986, the Minister of Transport announced his intention of reviewing all the components of the railway system in order to restore public confidence in Canadian railways. He assembled representatives of the country's leading railway companies and ordered a series of steps designed to improve railway safety. He announced his intention of tabling draft legislation on railway safety and setting up an independent transportation accident investigation board.
- 6 June 1986 - The Minister of Transport made a statement of principle on transportation safety to the House of Commons, observing that "with the ... tragedy in Hinton, the ... safety of railways has been brought to the forefront."
- December 1986 - Mr. Justice Foisy submitted his report on the Hinton collision to the government, strongly criticizing the disregard for safety among railway company management and employees.
- 22 January 1987 - The Minister of Transport published the government's response to the Foisy Report, announcing in particular that a Railway Safety Act would be tabled in late spring 1987.

- 10 April 1987 - The Minister of Transport reported on efforts to implement the Foisy Report recommendations. With the exception of the requirement for verbal radio notification of crossings, the merits of the report's recommendations were acknowledged. The Minister also announced the creation of a task force which would make recommendations on drug and alcohol screening.
- 14 December 1987 - The CTC Railway Transport Committee decided to allow railway companies to operate their freight trains without cabooses, providing they complied with 37 railway safety requirements. Unions expressed their opposition to this decision. The Minister of Labour, Mr. Cadieux, subsequently appointed Mr. Dalton Larson to investigate the matter.
- 1 January 1988 - With the coming into force of the relevant provisions of the *National Transportation Act, 1987*, the Canadian Transport Commission (CTC) was replaced by the National Transportation Agency (NTA).
- 18 January 1988 - The Minister of Transport tabled Bill C-105, the *Railway Safety Act*, which would, among other things, give broad regulatory powers to the government and to railway companies.
- 21 April 1988 - The Standing Committee of the House of Commons on Transport completed its clause-by-clause consideration of Bill C-105. The most important amendment was the decision not to repeal Part I of the *Railway Relocation and Crossing Act* (J.C. 1974, c. 12) which provides for financial aid for municipalities taking relevant steps to ensure the safety of their citizens. It also tabled a measures report recommending that action be taken in the areas of drug and alcohol testing in the workplace and the development of employee assistance programs.
- 17 May 1988 - Bill C-105 was passed by the House of Commons.
- 8 July 1988 - Bill C-142, which would have established the multi-modal Transportation Accident Investigation Board, was tabled in the House for first reading. The bill died on the Order Paper when Parliament was dissolved on 1 October 1988.
- 19 July 1988 - Railway companies were authorized to operate freight trains without cabooses.

- 20 July 1988 - Bill C-105 passed third reading by the Senate with an amendment requiring that an employee holding a position declared to be critical to safe railway operations undergo a company-sponsored medical examination at least every 12 months.
- 28 July 1988 - Bill C-105, the *Railway Safety Act*, was given Royal Assent (R.S.C. 1985, (4th Supp.), c. 32).
- 8 October 1988 - Some sections of the *Railway Safety Act* received Royal Proclamation (Order in Council 1988-1363, 5 October 1988). Sections 1, 3, 4, 7, 8, 11(2), 18, 19, 24(1), 36, 37, 45, 48 and 50 came into force on that date.
- 1 January 1989 - Second Royal Proclamation (Order in Council 1988-2731, 7 December 1988) of the *Railway Safety Act*. The entire Act (with the exception of sections 46, 47, 91, 93 and 120) came into force on that date. With the coming into force of that Act, the responsibilities of the National Transportation Agency with regard to railway safety were transferred to the Minister of Transport.
- 7 April 1989 - Bill C-2, to establish the multi-modal Canadian Transportation Accident Investigation and Safety Board, was tabled in the House for first reading.
- 29 June 1989 - Bill C-2, establishing the Canadian Transportation Accident Investigation and Safety Board, received Royal Assent (c. 3, 1989 Statutes).
- 20 October 1989 - The Minister of Transport stated that at the end of September the government had completed its consultations with the transportation industry on the latter's suggestions of people who might sit as members of the Board. The Minister added that the Board would be operational early in January 1990.
- Winter 1989 - The Department of Transport carried out an extensive survey on drug and alcohol use among workers in all sectors of the transportation industry. The survey resulted in the tabling of a document aimed at making possible consultation on a national drug testing policy for the transportation industry.
- 16 March 1990 - The Minister of Transport published a document setting out the government's strategy on substance use among federal transportation employees. The Standing Commons Committee on Transport has undertaken a review of the Strategy and will hear the views of the industry.

- 12 June 1990 - A report of the Standing Commons Committee on Transport, reviewing the government's strategy on substance use, was tabled in the House of Commons. The report endorsed the establishment and implementation of dedicated education and rehabilitation programs and all forms of drug and alcohol testing except random mandatory testing.
- 7 November 1990 - The Minister of Transport tabled the government's response to the report of the Standing Commons Committee on Transport with respect to substance use in the Canadian transportation system.

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